

106TH CONGRESS
1ST SESSION

H. R. 2932

To authorize the Golden Spike/Crossroads of the West National Heritage Area.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 1999

Mr. HANSEN introduced the following bill; which was referred to the Committee on Resources

A BILL

To authorize the Golden Spike/Crossroads of the West National Heritage Area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Golden Spike/Cross-
5 roads of the West National Heritage Area Act of 1999”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the industrial, cultural, and natural heritage
9 legacies of linking the Nation by rail in northern

1 Utah at the Crossroads of the West are nationally
2 significant;

3 (2) in the areas of northern Utah including and
4 in proximity to Ogden, Utah, linking the Nation by
5 rail at the Crossroads of the West helped establish
6 and expand the United States industrial power;

7 (3) the economic strength of our Nation is con-
8 nected integrally to the vitality of the interconti-
9 nental railways, which employ millions of workers;

10 (4) the industrial and cultural heritage of the
11 intercontinental railways at the Crossroads of the
12 West includes social history and living cultural tradi-
13 tions of several generations;

14 (5) the National Historic District in Ogden,
15 Utah, is a prime example of the cultural heritage of
16 the linking of the Nation by rail at the Crossroads
17 of the West;

18 (6) the Department of the Interior is respon-
19 sible for protecting and interpreting the Nation's
20 cultural and historic resources, and there are signifi-
21 cant examples of these resources within Ogden,
22 Utah, and northern Utah to merit the involvement
23 of the Federal Government to develop programs and
24 projects in cooperation with the city of Ogden, Utah,
25 and other local and governmental bodies, to ade-

1 quately conserve, protect, and interpret this heritage
2 for the education and recreational benefit of this and
3 future generations of Americans;

4 (7) the city of Ogden, Utah, would be an appro-
5 priate entity to oversee the development of the Gold-
6 en Spike/Crossroads of the West National Heritage
7 Area; and

8 (8) a 1993 National Park Service study, “Gold-
9 en Spike Rail Feasibility Study”, demonstrated that
10 sufficient historical resources exist to establish the
11 Golden Spike/Crossroads of the West National Her-
12 itage Area.

13 (b) PURPOSES.—The purpose of this Act is to estab-
14 lish the Golden Spike/Crossroads of the West National
15 Heritage Area to—

16 (1) foster a close working relationship with all
17 levels of government, the private sector, and the
18 local communities in Utah and empower commu-
19 nities in Utah to conserve their Golden Spike herit-
20 age while strengthening future economic opportuni-
21 ties; and

22 (2) conserve, interpret, and develop the histor-
23 ical, cultural, natural, and recreational resources re-
24 lated to the industrial and cultural heritage of the

1 Golden Spike/Crossroads of the West National Her-
2 itage Area.

3 **SEC. 3. DEFINITIONS.**

4 For purposes of this Act, the following definitions
5 apply:

6 (1) CITY.—The term “City” means the city of
7 Ogden, Utah.

8 (2) HERITAGE AREA.—The term “Heritage
9 Area” means the Golden Spike/Crossroads of the
10 West National Heritage Area established by section
11 4.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of the Interior.

14 **SEC. 4. GOLDEN SPIKE/CROSSROADS OF THE WEST NA-**
15 **TIONAL HERITAGE AREA.**

16 (a) ESTABLISHMENT.—There is established in the
17 State of Utah the Golden Spike/Crossroads of the West
18 National Heritage Area.

19 (b) BOUNDARIES.—

20 (1) IN GENERAL.—Subject to paragraph (2),
21 the boundaries of the Heritage Area shall include
22 lands in Utah that are related to the following areas
23 and historic districts:

24 (A) Union Pacific Station in Ogden, Utah.

1 (B) 24th and 25th Street Historic District
2 in Ogden, Utah.

3 (2) SPECIFIC BOUNDARIES.—The specific
4 boundaries of the Heritage Area shall be those speci-
5 fied in the management plan approved under section
6 6.

7 (3) MAP.—The Secretary shall prepare a map
8 of the Heritage Area which shall be on file and
9 available for public inspection in the office of the Di-
10 rector of the National Park Service.

11 (c) ADMINISTRATION.—The Heritage Area shall be
12 administered in accordance with this Act.

13 (d) STUDY.—The Secretary, in cooperation with the
14 City, shall study the feasibility of establishing a National
15 Heritage Corridor from the City to Promontory Point.

16 (e) ADDITIONS OF LANDS.—The Secretary may add
17 lands to the Heritage Area in response to a request from
18 the City.

19 **SEC. 5. DESIGNATION OF CITY AS MANAGEMENT ENTITY.**

20 (a) IN GENERAL.—The City shall be the management
21 entity for the Heritage Area.

22 (b) FEDERAL FUNDING.—

23 (1) AUTHORIZATION TO RECEIVE FUNDS.—The
24 City may receive amounts appropriated to carry out
25 this Act.

1 (2) DISQUALIFICATION.—If a management plan
2 for the Area is not submitted to the Secretary as re-
3 quired under section 6 within the time specified in
4 that section, the City shall cease to be authorized to
5 receive Federal funding under this Act until such a
6 plan is submitted to the Secretary.

7 (c) AUTHORITIES OF CITY.—The City may, for pur-
8 poses of preparing and implementing the management
9 plan for the Area, use Federal funds made available under
10 this Act—

11 (1) to make grants and loans to the State of
12 Utah, its political subdivisions, nonprofit organiza-
13 tions, and other persons;

14 (2) to enter into cooperative agreements with or
15 provide technical assistance to Federal agencies, the
16 State of Utah, its political subdivisions, nonprofit or-
17 ganizations, and other persons;

18 (3) to hire and compensate staff;

19 (4) to obtain money from any source under any
20 program or law requiring the recipient of such
21 money to make a contribution in order to receive
22 such money;

23 (5) to contract for goods and services; and

24 (6) for such other activities as are necessary to
25 carry out its duties under this Act.

1 (d) PROHIBITION OF ACQUISITION OF REAL PROP-
2 erty.—The City may not use Federal funds received
3 under this Act to acquire real property or any interest in
4 real property.

5 **SEC. 6. MANAGEMENT DUTIES OF THE CITY.**

6 (a) HERITAGE AREA MANAGEMENT PLAN.—

7 (1) SUBMISSION FOR REVIEW BY SECRETARY.—

8 The City shall, within 3 years after the date of en-
9 actment of this Act, develop and submit for review
10 to the Secretary a management plan for the Area.

11 (2) PLAN REQUIREMENTS, GENERALLY.—A
12 management plan submitted under this section
13 shall—

14 (A) present comprehensive recommenda-
15 tions for the conservation, funding, manage-
16 ment, and development of the Heritage Area;

17 (B) be prepared with public participation;

18 (C) take into consideration existing Fed-
19 eral, State, county, and local plans and involve
20 residents, public agencies, and private organiza-
21 tions in the Heritage Area;

22 (D) include a description of actions that
23 units of government and private organizations
24 are recommended to take to protect the re-
25 sources of the Heritage Area; and

1 (E) specify existing and potential sources
2 of Federal and non-Federal funding for the
3 conservation, management, and development of
4 the Heritage Area.

5 (3) ADDITIONAL PLAN REQUIREMENTS.—The
6 management plan shall also include the following, as
7 appropriate:

8 (A) An inventory of resources contained in
9 the Heritage Area, including a list of property
10 in the Heritage Area that should be conserved,
11 restored, managed, developed, or maintained be-
12 cause of the natural, cultural, or historic sig-
13 nificance of the property as it relates to the
14 themes of the Heritage Area. The inventory
15 may not include property that is privately
16 owned unless the owner of the property con-
17 sents in writing to that inclusion.

18 (B) Recommendations for the interpreta-
19 tion of the Heritage Area, including (but not
20 limited to) the development of intergovern-
21 mental cooperative agreements to manage the
22 historical, cultural, and natural resources and
23 recreational opportunities of the Heritage Area
24 in a manner consistent with the support of the
25 appropriate and compatible economic viability.

1 (C) A program for implementation of the
2 management plan, including plans for restora-
3 tion and construction and a description of any
4 commitments that have been made by persons
5 interested in management of the Heritage Area.

6 (D) An analysis of means by which Fed-
7 eral, State, and local programs may best be co-
8 ordinated to promote the purposes of this Act.

9 (E) An interpretive plan for the Heritage
10 Area.

11 (4) APPROVAL AND DISAPPROVAL OF THE MAN-
12 AGEMENT PLAN.—

13 (A) IN GENERAL.—Not later than 180
14 days after submission of the Heritage Area
15 management plan by the City, the Secretary
16 shall approve or disapprove the plan. If the Sec-
17 retary has taken no action 180 day after receiv-
18 ing the plan, the plan shall be considered ap-
19 proved.

20 (B) If the Secretary disapproves the plan,
21 the Secretary shall advise the City, in writing,
22 of the reasons for the disapproval and shall
23 make recommendations for the revision of the
24 plan. The Secretary shall approve or disapprove
25 proposed revisions to the plan not later than 60

1 days after receipt of such revisions from the
2 City. If the Secretary has taken no action for
3 60 days after receipt, the plan and revisions
4 shall be considered approved.

5 (b) PRIORITIES.—The City shall give priority to the
6 implementation of actions, goals, and policies set forth in
7 the management plan for the Heritage Area, including—

- 8 (1) conserving the Heritage Area;
- 9 (2) establishing and maintaining interpretive
10 exhibits in the Heritage Area;
- 11 (3) developing recreational opportunities in the
12 Heritage Area;
- 13 (4) increasing public awareness of and appre-
14 ciation for the natural, historical, and cultural re-
15 sources of the Heritage Area;
- 16 (5) the restoration of historic buildings that are
17 located within the boundaries of the Heritage Area
18 and related to the theme of the Heritage Area;
- 19 (6) ensuring that clear, consistent, and environ-
20 mentally appropriate signs identifying access points
21 and sites of interest are put in place throughout the
22 Heritage Area; and
- 23 (7) consistent with the goal of the management
24 plan, encouraging economic viability in the affected
25 communities by appropriate means.

1 (c) CONSIDERATION OF INTERESTS OF LOCAL
2 GROUPS.—The City shall, in preparing and implementing
3 the management plan for the Heritage Area, consider the
4 interests of diverse units of government, businesses, pri-
5 vate property owners, and nonprofit groups within the
6 Heritage Area.

7 (d) PUBLIC MEETINGS.—The City shall conduct pub-
8 lic meetings at least annually regarding the implementa-
9 tion of the Heritage Area management plan.

10 (e) ANNUAL REPORTS.—The City shall, for any fiscal
11 year in which it receives Federal funds under this Act,
12 submit an annual report to the Secretary setting forth its
13 accomplishments, its expenses and income, and the enti-
14 ties to which it made any loans and grants during the year
15 for which the report is made.

16 (f) COOPERATION WITH AUDITS.—The City shall, for
17 any fiscal year in which it receives Federal funds under
18 this Act, make available for audit by the Congress, the
19 Secretary, and appropriate units of government, all
20 records and other information pertaining to the expendi-
21 tures of Federal funds by other organizations that the re-
22 ceiving organizations make available for such audit and
23 all records and other information pertaining to the ex-
24 penditure of such funds.

1 (g) DELEGATIONS.—The City may delegate the re-
 2 sponsibilities and actions under this section for each area
 3 or district identified in section 4(b)(1). All delegated ac-
 4 tions are subject to review and approval by the City.

5 **SEC. 7. DUTIES AND AUTHORITIES OF FEDERAL AGENCIES.**

6 (a) TECHNICAL ASSISTANCE AND GRANTS.—

7 (1) IN GENERAL.—The Secretary may provide
 8 technical assistance and, subject to the availability
 9 of appropriations, grants to units of government,
 10 nonprofit organizations, and other persons upon re-
 11 quest of the City, and to the City, regarding the
 12 management plan and its implementation.

13 (2) PROHIBITION OF CERTAIN REQUIRE-
 14 MENTS.—The Secretary may not, as a condition of
 15 the award of technical assistance or grants under
 16 this section, require any recipient of such technical
 17 assistance or a grant to enact or modify land use re-
 18 strictions.

19 (3) DETERMINATIONS REGARDING ASSIST-
 20 ANCE.—The Secretary shall decide if units of gov-
 21 ernment, nonprofit organizations, and other persons
 22 shall be awarded technical assistance or grants and
 23 the amount of that assistance. Such decisions shall
 24 be based on the relative degree to which the assist-
 25 ance effectively fulfills the objectives contained in

1 the Heritage Area management plan and achieves
2 the purposes of this Act. Such decisions shall give
3 preference to projects which provide a greater lever-
4 age of Federal funds.

5 (b) PROVISION OF INFORMATION.—In cooperation
6 with other Federal agencies, the Secretary shall provide
7 the general public with information regarding the location
8 and character of the Heritage Area.

9 (c) OTHER ASSISTANCE.—The Secretary may enter
10 into cooperative agreements with public and private orga-
11 nizations for the purposes of implementing this section.

12 (d) DUTIES OF OTHER FEDERAL AGENCIES.—Any
13 Federal entity conducting any activity directly affecting
14 the Heritage Area shall consider the potential effect of the
15 activity on the Heritage Area management plan and shall
16 consult with the City with respect to the activity to mini-
17 mize the adverse effects of the activity on the Heritage
18 Area.

19 **SEC. 8. LACK OF EFFECT ON LAND USE REGULATION AND**
20 **PRIVATE PROPERTY.**

21 (a) LACK OR EFFECT ON AUTHORITY OF LOCAL
22 GOVERNMENT.—Nothing in this Act shall be construed to
23 modify, enlarge, or diminish any authority of Federal,
24 State, or local governments to regulate any use of land
25 under any other law or regulation.

1 (b) LACK OF ZONING OR LAND USE POWERS.—

2 Nothing in this Act shall be construed to grant powers
3 of zoning or land use control to the City.

4 (c) LOCAL AUTHORITY AND PRIVATE PROPERTY

5 NOT AFFECTED.—Nothing in this Act shall be construed
6 to affect or to authorized the City to interfere with—

7 (1) the rights of any person with respect to pri-
8 vate property; or

9 (2) any local zoning ordinance or land use plan
10 of the State of Utah or a political subdivision there-
11 of.

12 **SEC. 9. SUNSET.**

13 The Secretary may not make any grant or provide
14 any assistance under this Act after September 30, 2016.

15 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There are authorized to be appro-
17 priated under this Act not more than \$1,000,000 for any
18 fiscal year. Not more than a total of \$10,000,000 may
19 be appropriated for the Heritage Area under this Act.

20 (b) 50 PERCENT MATCH.—Federal funding provided
21 under this Act may not exceed 50 percent of the total cost
22 of any activity carried out with such funds.

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